



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,921	04/25/2001	Shigemitsu Fukuyama	50427-735	6531

7590 05/06/2003

McDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER

FRECH, KARL D

ART UNIT	PAPER NUMBER
----------	--------------

2876

DATE MAILED: 05/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/840,921

Applicant(s)

FUKUYAMA, SHIGEMITSU

Examiner

Karl D Frech

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 2876

1. The preliminary amendment amending claim 4 has been entered as paper number 3.
2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Chien 6,105,858. Chien discloses a cash drawer with a banknote holder 11 which is mounted in a cantilever manner. The holder depresses banknotes stored below the holder against the bottom of the drawer. Banknotes can be placed on top of the holder 11.

Art Unit: 2876

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chien 6,105,858. Chien discloses the invention as seen above. Chien further discloses a spring (see figure 2) to create a resilient depressing force. Chien does not disclose the "hook" as currently claimed. However, hook ends to springs, and spring retaining hooks are very old and well known. It would have been obvious to a person of ordinary skill in the art to provide a hook instead of the more permanent spring attaching mechanism of Chien. This would allow for rapid, easy replacement of any spring which has lost its resiliency.
6. Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by Hutchinson 4,314,632. Hutchinson discloses a cash drawer 24 with a depressing mechanism 26 which depresses bank notes against a surface 16. There is provided a coin receiving area shown at the very front of the drawer (see figure 2). There is disclosed a slot 14 between the coin receiving area and the banknote area 16 into which appropriately sized objects may be placed. It is disclosed that the slot 14 may be expanded to accommodate currency (col 4 line 66+).
7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chien 6,105,858 in view of well known prior art. Chien discloses the invention as seen above. Chien does not disclose the balance weight as claimed. Counter balance weights are old and well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a counterbalance at the rear end of the cash drawer as this would help to balance the drawer and help avoid accidental tipping of the mechanism.

Art Unit: 2876

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chien 6,105,858 in view of Showers, Jr 3,628,724. Chien discloses the invention as seen above. Chien does not disclose the push plate as claimed or the drawer open counter as claimed. Showers discloses a push plate (retainer 22) fastened to the drawer, as a coiled spring is effective to urge the drawer into the open position. Showers discloses a mechanism (23/24) for indicating the open or closed nature of the drawer. (See column 2 lines 20-35) It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the push plate and spring mechanism of Showers in the invention of Chien. This would allow for a simple mechanical means to urge the drawer open. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the switch mechanism 23/24 of Showers to the invention of Chien. This would provide for an appropriate status signal of the drawer. Likewise it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use this switch mechanism to keep track of the opening and closing of the drawer. This would help to provide an appropriate accounting of the activity of the cash drawer.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maddox et al 6,152,366, Biss 5,756,977, Ishii Re. 32,456 and Leatherwood et al. 5,451,753 all disclose cash drawers.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl Frech whose telephone number is (703) 305-3491. The examiner's supervisor is Michael Lee whose telephone number is (703)305-3503. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech

Art Unit: 2876

Center receptionist whose telephone number is (703)308-0956. The Tech Center fax number is (703) 308-7722.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [karl.frech@uspto.gov]. All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

A handwritten signature in black ink, appearing to read 'K. Frech', with a stylized, cursive script.

Karl D. Frech
Primary Examiner, AU 2876
May 02, 2003